



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

February 9, 2006

CANTOR COLBURN, LLP
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002
US

Dear Sir/Madam,

Your refund request for 10510184 in the amount of \$488.00 has been denied .

Supplemental pre-amendment was sent in after 30 month priority date. DC

Sincerely,


RITA WHITE

PCT - National

703 308-9140 x231



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MARC SCHMIZ, ET AL.)
SERIAL NO.: 10/510,184) Group Art No.:
FILED: September 30, 2004) Examiner:
FOR: SAFETY DEVICE FOR A VEHICLE)

REQUEST FOR REFUND UNDER 37 C.F.R §1.26

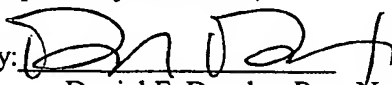
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450
ATTN: Refund Section, Accounting Division, Office of Finance

Sir:

This Request for Refund is submitted in response to charges applied to Applicants' attorneys deposit account on 16 June 2005 in the amounts of \$198 and \$290. These charges are believed to be a result of the existence of several multiple dependent claims in this application as originally filed. Along with this Request, Applicant submits a Supplementary Preliminary Amendment in which all multiple dependent claims are removed. Thus, the charges of \$198 and \$290 are improper. Accordingly, Applicant requests that the amount of \$488 be credited to Deposit Account No. 06-1130.

The Office is invited to contact Applicants' attorneys at the below-listed telephone number regarding this Request or otherwise concerning this application.

Respectfully submitted,

By: 
Daniel F. Drexler, Reg. No. 47,535
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone: 860-286-2929
Facsimile: 860-286-0115
Customer No. 23413

Date: 7/1/05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MARC SCHMIZ, ET AL.)
SERIAL NO.: 10/510,184) Group Art No.:
FILED: September 30, 2004) Examiner:
FOR: SAFETY DEVICE FOR A VEHICLE)

SUPPLEMENTAL PRELIMINARY AMENDMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Prior to examining the indicated application, please enter and consider the following:

Amendments to the Claims beginning on page 2 of this paper and

Remarks beginning on page 9 of this paper.

AMENDMENTS TO THE CLAIMS:

Replace the claims with the following rewritten listing:

1. (Original) A device for detecting and locating objects comprising
 - a 3-D camera for recording three-dimensional situation images of a space which is to be monitored;
 - first means for evaluating the three-dimensional situation images by means of suitable object detection methods for determining an object which is present in the space which is to be monitored, and for determining the position of the object in the space;
 - a 2-D camera for recording two-dimensional situation images of that region of the space which is to be monitored, in which the position of the object has been determined; and
 - second means for evaluating the two-dimensional situation images by means of suitable object detection methods for redetermining the object which is present in the space which is to be monitored.

2. (Original) A device for detecting and locating objects comprising
 - a 3-D camera for recording three-dimensional situation images of a space which is to be monitored;
 - first means for evaluating the three-dimensional situation images by means of suitable object detection methods for determining an object which is present in the space which is to be monitored, and for determining the position of the object in the space;
 - a 2-D camera for recording two-dimensional situation images of the space which is to be monitored; and
 - second means for evaluating a specific region of the two-dimensional situation images by means of suitable object detection methods for redetermining the object which is present in the space which is to be monitored, the specific region corresponding to the region of the space in which the position of the object has been determined.

3. (Previously Presented) The device as claimed in claim 1, wherein the first means for evaluating the three-dimensional situation images and the second means for evaluating the two-dimensional situation images are implemented in a common processor unit.
4. (Previously Presented) The device as claimed in 1, wherein the 3-D camera and the 2-D camera are arranged directly adjacent to one another.
5. (Original) The device as claimed in claim 4, wherein the 3-D camera and the 2-D camera are arranged in a common housing.
6. (Previously Presented) The device as claimed in claim 1, wherein the 3-D camera and the 2-D camera operate in the same spectral region.
7. (Original) The device as claimed in claim 6, comprising a light source for illuminating the space which is to be monitored with light of a wavelength which is contained in the spectral region.
8. (Previously Presented) The device as claimed in claim 6, wherein the spectral region comprises an infrared region.
9. (Original) The device as claimed in claim 6, wherein the 3-D camera, the 2-D camera and the light source are arranged in a common housing.
10. (Original) A method for detecting and locating objects, comprising the steps:
 - a) recording a first, three-dimensional situation image of a space which is to be monitored by means of a 3-D camera,
 - b) evaluating the first, three-dimensional situation image by means of suitable object detection methods for determining an object which is present in the space which is to be monitored, and for determining the position of the object in the space;

- c) recording a second, two-dimensional situation image of a specific region of the space which is to be monitored by means of a 2-D camera, the specific region corresponding to the region of the space in which the position of the object has been determined;
 - d) evaluating the second, two-dimensional situation image in order to redetermine the object which is present.
11. (Original) A method for detecting and locating objects, comprising the steps
- a) recording a first, three-dimensional situation image of a space which is to be monitored by means of a 3-D camera,
 - b) evaluating the first, three-dimensional situation image by means of suitable object detection methods for determining an object which is present in the space which is to be monitored, and for determining the position of the object in the space;
 - c) recording a second, two-dimensional situation image of the space which is to be monitored by means of a 2-D camera;
 - d) evaluating a specific region of the second, two-dimensional situation image in order to redetermine the object which is present, the specific region corresponding to the region of the space in which the position of the object has been determined.
12. (Previously Presented) The method as claimed in claim 10, wherein the 3-D camera and the 2-D camera operate in the same spectral region.
13. (Original) The method as claimed in claim 12, comprising the step of illuminating the space which is to be monitored with light of a wavelength which is contained in the spectral region.
14. (Previously Presented) The method as claimed in claim 12, wherein the spectral region comprises an infrared region.

15. (Currently Amended) A method for controlling a restraint system in a vehicle, comprising the steps:
- a) determining an object and the position of said object in the region of a vehicle seat according to a method ~~as claimed in one of claims 10 or 11~~,
 - b) generating a control signal which is specific to the type and position of the object which has been determined and transmitting the control signal to a control unit of the restraint system;
 - c) selecting a suitable function mode of the restraint system on the basis of the control signal which has been transmitted.
16. (Original) The method as claimed in claim 15, wherein the object comprises a child's seat.
17. (Original) The method as claimed in claim 15, wherein the object comprises the head of a vehicle occupant.
18. (Original) The method as claimed in claim 17, wherein the generation of a control signal comprises the calculation of a height of a torso of the vehicle occupant on the basis of the position of the head.
19. (Currently Amended) A method for avoiding accidents in a vehicle, comprising the steps:
- a) determining an object and the position of said object in the region of an area surrounding the driver according to a method ~~as claimed in one of claims 10 or 11~~,
 - b) initiating suitable measures if the determined position of the object potentially counteracts safe driving of the vehicle.
20. (Original) The method as claimed in claim 19, wherein the object comprises a body part of the driver and wherein the suitable measures are initiated if the position of the body

part is determined in a region which is associated with an inappropriate body posture for driving the vehicle.

21. (Original) The method as claimed in claim 19, wherein the object comprises an item, and wherein the suitable measures are initiated if the position of the item is determined in a field of vision of the driver.
22. (Previously Presented) The method as claimed in claim 19, wherein the initiation of corresponding measures comprises the generation of a visual or audible warning signal and/or the triggering of an emergency brake system and/or the recording of the driver's behavior and/or the selection of a suitable function mode of the restraint system.
23. (Currently Amended) Restraint system of a vehicle, comprising a device as claimed in ~~one of claims 1 or 2~~, wherein the restraint system is switched to a suitable function mode in accordance with the type of the object which is determined and its position in the passenger compartment of the vehicle.
24. (Currently Amended) Precrash system of a vehicle, comprising a device as claimed in ~~one of claims 1 or 2~~, wherein suitable safety measures are initiated in accordance with the type of the object which is determined and its position in the area outside the vehicle.
25. (Currently Amended) Anti-theft warning system in a vehicle comprising a device as claimed in ~~one of claims 1 or 2~~.
26. (Previously Presented) The device as claimed in claim 2, wherein the first means for evaluating the three-dimensional situation images and the second means for evaluating the two-dimensional situation images are implemented in a common processor unit.

27. (Previously Presented) The device as claimed in claim 2, wherein the 3-D camera and the 2-D camera are arranged directly adjacent to one another.
28. (Previously Presented) The device as claimed in claim 27, wherein the 3-D camera and the 2-D camera are arranged in a common housing.
29. (Previously Presented) The device as claimed in claim 2, wherein the 3-D camera and the 2-D camera operate in the same spectral region.
30. (Previously Presented) The device as claimed in claim 29, comprising a light source for illuminating the space which is to be monitored with light of a wavelength which is contained in the spectral region.
31. (Previously Presented) The device as claimed in claim 29, wherein the spectral region comprises an infrared region.
32. (Previously Presented) The device as claimed in claim 29, wherein the 3-D camera, the 2-D camera and the light source are arranged in a common housing.
33. (Previously Presented) The method as claimed in claim 11, wherein the 3-D camera and the 2-D camera operate in the same spectral region.
34. (Previously Presented) The method as claimed in claim 33, comprising the step of illuminating the space which is to be monitored with light of a wavelength which is contained in the spectral region.
35. (Previously Presented) The method as claimed in claim 33, wherein the spectral region comprises an infrared region.

REMARKS

Applicants respectfully request entry of the present amendments which generally conform the specification and claims to U.S. practice. Particularly, herein claims 15, 19, and 23-25 are amended to remove multiple dependencies.

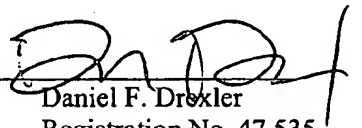
No new matter is introduced by this amendment as antecedent support is set forth in the originally filed application.

Prosecution on the merits is respectfully requested.

If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

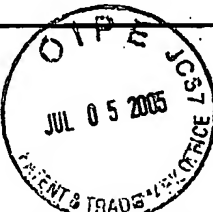
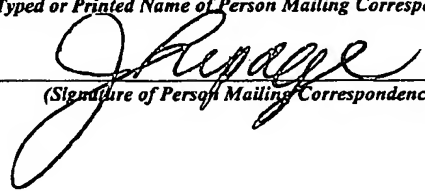
By:


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Date:

7/1/05

DEP & REF

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8) Applicant(s): MARC SCHMIZ, ET AL.			Docket No. ETF-0005	
Application No. 10/510,184	Filing Date 09/30/2004	2005 JUL 15 PM 2:14 EXAMINER US PATENT & TRADEMARK OFFICE	Customer No. 23413	Group Art Unit
Invention: SAFETY DEVICE FOR A VEHICLE				
<div></div> <p>I hereby certify that this <u>Request for Refund; Supplemental Preliminary Amendment</u> (Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450" [37 CFR 1.8(a)] on <u>July 1, 2005</u> (Date)</p> <p><u>Jennifer Lepage</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p> (Signature of Person Mailing Correspondence)</p>				
<p>Note: Each paper must have its own certificate of mailing.</p> <div></div>				